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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,918	09/22/2003	Vincent Alan Larsen	SAGE-26,476	9904
758	7590	10/18/2006	EXAMINER	
FENWICK & WEST LLP SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041			SHAN, APRIL YING	
			ART UNIT	PAPER NUMBER
			2135	

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/667,918	LARSEN, VINCENT ALAN	
	<b>Examiner</b>	<b>Art Unit</b>	
	April Y. Shan	2135	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 22 September 2003.

2a)  This action is FINAL.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-12 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-12 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 26 January 2004 is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date *See Continuation Sheet.*

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .

5)  Notice of Informal Patent Application

6)  Other: \_\_\_\_ .

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :9/06,3/06, 1/06,7/05,10/04,3/04.

## **DETAILED ACTION**

1. Claims 1-12 have been examined.

### ***Oath/Declaration***

2. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because

CIP of 10/635,075 and CIP of 10/635,795 are not consistent with US Patent Trademark office records.

### ***Specification***

3. The disclosure is objected to because of the following informalities:

For example,

- a. In paragraph [0004], "there are a plurality of" should be "there is a plurality";
- b. In paragraph [0013], "Each of these user access blocks contain" should be "Each of these user access block contains";
- c. On page 2, under the Cross-reference to related application section, "and is a CIP of 10/635,075" and "and is a CIP of 10/635,795" are not consistent with US Patent Trademark office records.

Check the specification, including abstract and correct any informality the Applicant is aware of.

Appropriate correction is required.

***Claim Objections***

4. Claims 1- 6 are objected to because of the following informalities:
  - a. In claim 1, "executing a process" should be "executing the process";
  - b. In claim 1, "the steps of" should be "steps of";
  - c. Any claim not specifically addressed, above, is being objected as

incorporating the deficiencies of a claim upon which it depends.

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Carman (US Patent No. 7,114,078)

As per **claim 1**, Carman discloses a method in a portable electronic device for providing access to portable electronic device resources, comprising the steps of:

loading user resource access information including process resource access information associated with a process (e.g. col. 4, lines 6-12, col. 1, lines 51-58 and fig. 6);  
executing a process in the portable electronic device wherein said process accesses portable electronic device resources (e.g. col. 3, lines 1-4);  
checking the process resource access information when the process attempts to access a specified portable electronic device resource to determine if the access of the specified portable electronic device resource by the process is permitted (step 410 and 415 of fig. 4);  
allowing the process to access the specified portable electronic device resource if access permission is indicated (step 425 of fig. 4 and col. 4, lines 35-41); and  
denying the process access to the specified portable electronic device resource if access permission is not indicated (step 420 of fig. 4).

As per **claims 2 and 5**, Carman discloses a method as applied in claim 1. Carman further discloses where said portable electronic device is a cellular telephone or a personal digital assistant (e.g. col. 1, line 64).

As per **claims 3 and 4**, Carman discloses a method as applied in claim 2. Carman further discloses where said specified portable electronic device resource includes cellular telephone service or data transmission service (e.g. col. 3, lines 1-4

and Internet banking service – e.g. col. 4, line 47. Please note Internet is data transmission service)

As per **claim 6**, Carman discloses a method as applied in claim 5. Carman further discloses where said specified portable electronic device resource includes data transmission service (to display Internet web pages – col. 3, lines 47-52 and Internet banking service – e.g. col. 4, line 47. Please note Internet is data transmission service).

As per **claim 7**, Carman discloses a portable electronic device including a system for providing access to portable electronic device resources comprising; a portable electronic device processor for executing a process (the cellular telephone's processor – e.g. col. 2, lines 59-64); a portable electronic device resource accessed by the portable electronic device processor when executing the process (e.g. col. 3, lines 1-4); user resource access data associated with the process representing resource access permissions (col. 1, lines 51-58 and fig. 6); wherein before said portable electronic device processor accesses said portable electronic device resource, the portable electronic device processor refers to the user resource access data associated with the process to determine if the process has permission to access the portable electronic device resource (step 515, 520, 525 and 530 in fig. 5).

As per **claims 8 and 11**, Carman discloses a portable electronic device as applied in claim 7. Carman further discloses wherein said portable electronic device is a cellular telephone or a personal digital assistant (e.g. col. 1, line 64).

As per **claims 9 and 10**, Carman discloses a portable electronic device as applied in claim 8. Carman further discloses wherein said portable electronic device resource includes cellular telephone service or said portable electronic device resource includes data transmission service (e.g. col. 3, lines 1-4 and Internet banking service – e.g. col. 4, line 47. Please note Internet is data transmission service).

As per **claim 12**, Carman discloses a portable electronic device as applied in claim 11. Carman further discloses wherein said portable electronic device resource includes data transmission service (to display Internet web pages – col. 3, lines 47-52 and Internet banking service – e.g. col. 4, line 47. Please note Internet is data transmission service).

### ***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Gomes et al. (U.S. Pub No. 2002/0120755) discloses a method and apparatus for applying information stored remotely to an application via a mobile device are provided.

- Oe et al. (U.S. Pub No. 2002/0099837) discloses an operation request from a process or OS for computer resources managed by the OS.
- Edelman (U.S. Patent No. 6,857,067) discloses a system and method are provided for preventing unauthorized access to electronic data stored on an electronic device.

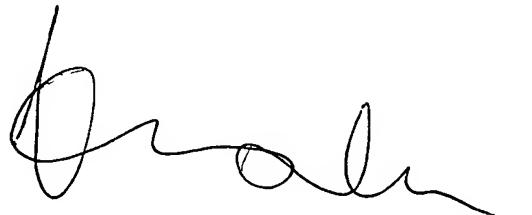
***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to April Y. Shan whose telephone number is (571) 270-1014. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y. Vu can be reached on (571) 272-3859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AYS  
6 October 2006  
AYS



KIM VU  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100